

**RECEIVED****SEP 14 2001**CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY DEPUTY CLERKIN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION**FILED****SEP 18 2001**CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY DEPUTY CLERKANURADHA MAITRA, Individually and as  
Personal Representative of the Estate of  
SIDHARTHA MAITRA; AVIK MAITRA,  
individually; and SONALI MAITRA, individually,

Plaintiffs,

vs.

MITSUBISHI HEAVY INDUSTRIES, LTD.,  
a corporation; MITSUBISHI CORPORATION;  
MITSUBISHI INTERNATIONAL  
CORPORATION; MITSUBISHI  
INTERNATIONAL CORPORATION;  
ALLIEDSIGNAL, INC., a corporation;  
ALLIEDSIGNAL AEROSPACE, a corporation;  
HONEYWELL, INC., a corporation;  
HONEYWELL AEROSPACE, ENGINES &  
SYSTEMS, a corporation; HONEYWELL  
INTERNATIONAL, INC., a corporation;  
HONEYWELL AEROSPACE, a corporation;  
GENERAL ELECTRIC CO., a corporation; GE  
AIRCRAFT ENGINES, a corporation;  
MITSUBISHI HEAVY INDUSTRIES  
AMERICA, INC., a corporation; TURBINE  
AIRCRAFT MARKETING, INC., a corporation;  
INTERCONTINENTAL JET, INC., a corporation;  
FLIGHT SAFETY INTERNATIONAL, INC., a  
corporation; FLIGHT SAFETY  
INTERNATIONAL, HOUSTON LEARNING  
CENTER, a corporation; FLIGHT SAFETY  
SERVICES CORPORATION; WENDY L. BABB  
as Personal Representative of the Estate of Gerald  
R. Babb; and, ESTATE OF GERALD R. BABB or  
JOHN DEERE INSURANCE COMPANY,

Defendants.

**SA-01-CV-209-FB**  
**AGREED PROTECTIVE ORDER**  
*(Aircraft Wreckage)*

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1. The parties to this action agree to preserve the wreckage of the MU-2B-26A, Federal Aviation Registration Number N386TM aircraft (hereinafter referred to as the "Aircraft"), arising out of the accident on January 22, 2001, near San Antonio International Airport, San Antonio, Texas, while permitting access by the individual parties, their consultants and representatives, including the removal of components to laboratories or other suitable facilities for microscopic or other detailed examinations or testing as specifically provided for below.

2. As used herein, the term "Aircraft wreckage" includes all parts and components of the aircraft, its engines, and any other aspects of the wreckage, including any materials contained within or adhering to the aircraft or its component parts.

3. The Aircraft wreckage is presently at the storage Facility operated by Air Salvage of Dallas, Inc. at 1361 Ferris Road, Lancaster, Texas 75146 (the "Facility").

4. The portions of the Aircraft wreckage presently stored at the Facility will remain there until the conclusion of this litigation or any related litigation, including the action Babb, et al. v. Intercontinental Jet, Corp., et al. (District Court, 166 Judicial District, Bexar County, Texas, Case No.: 2001 CI 00710) unless otherwise agreed to by the parties or as otherwise ordered by this Court or other Courts where this action or related actions are pending. Any additional component parts of the wreckage not presently stored at the Facility, when discovered, will be moved to the Facility.

5. All parties and their counsel, experts and investigators shall be permitted, in reasonable number, and at agreeable times and upon reasonable notice as described below, to inspect and photograph or videotape the Aircraft wreckage. Every notice for an inspection shall

include the date and time of the inspection. Every individual present at an inspection shall "sign in" on an attendance log designative by the Facility, which will be provided to all parties at the conclusion of the inspection. Unless otherwise agreed in writing by all parties hereto or as ordered by the Court, no examination of the Aircraft wreckage by any party may occur unless each party: (a) has been provided with written notice of the inspection at least ten (10) days prior to the proposed inspection; (b) is afforded the opportunity to have a representative present; or, (c) has agreed that the inspection may proceed without its representative present. Each party's attorneys and experts may be present for and photograph or videotape any inspection; however, no one may interfere with the inspection other than to enforce the terms of this Protective Order and no one may interfere with the inspecting party's' right to privately confer with its experts, consultants and clients.

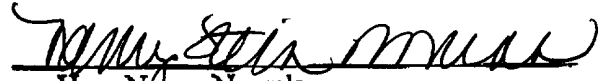
6. The parties are each responsible for their own costs for any inspection, unless otherwise agreed by one or more of the parties to this action or the Babb Action.

7. No party may perform destructive tests of the Aircraft wreckage or any part thereof or do anything that physically changes the condition of the Aircraft wreckage or any part thereof, or disassemble any component thereof, if such test or disassembly will, in whole or in part, alter or affect the integrity of the present condition of the Aircraft wreckage or any part thereof, unless: (a) all parties agree to such testing or disassembly; or, (b) in the event the parties fail to agree to perform such testing or disassembly, pursuant to a Court Order after Notice and Motion to the Court. Any party intending to perform destructive testing or disassembly shall notify by facsimile all parties of its intention to do so thirty (30) days prior to the date of such testing or disassembly. Any party may photograph or videotape any testing performed on the Aircraft wreckage.

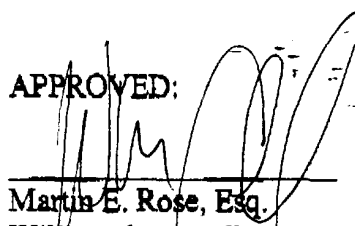
8. - Only upon agreement by all parties or as otherwise ordered by the Court may any portion of the Aircraft wreckage be removed from the Facility identified in paragraph 3 above.

IT IS SO ORDERED

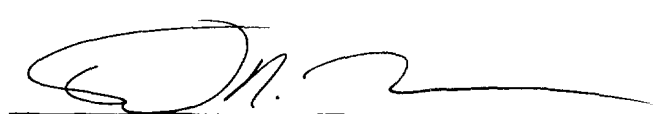
9-18-01

  
Hon. Nancy Nowak


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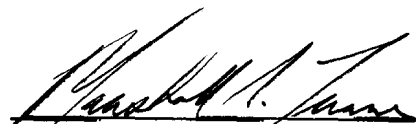
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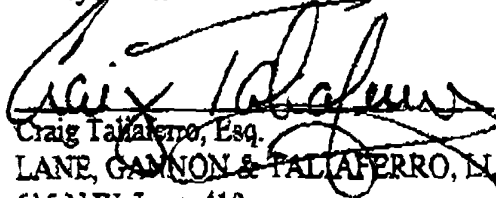
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